IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

MACA.No. 1505 of 2006

OPMV.1114/2003 of MOTOR ACCIDENT CLAIMS TRIBUNAL, THODUPUZHA
.....

APPELLANT/PETITIONER:

TOM THOMAS S/O.THOMAS @ TOMY,
KOLLASSERIL HOUSE, CHALLAVAYAL
BHAGAM, MUTTAM KARA, KUTTAM VILLAGE.

BY ADV. SRI.K.J.KURIACHAN
SMT.P.P.STELLA

RESPONDENTS/RESPONDENTS:

1. THE MANAGING DIRECTOR, K.S.R.T.C.,
THIRUVANANTHAPURAM.

2. V.K.ABRAHAM, VELLATHODAM
PUTHENPURAYIL HOUSE, PIRAVOM P.O.

BY ADV. SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 31/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.Koshy & K.P.Balachandran, JJ.

M.A.C.A.No. 1505 of 2006

JUDGMENT

Koshy, J.

The appellant/claimant met with an accident, while he was travelling in his motor cycle, as a KSRTC bus (owned by the first respondent) hit him. As a result of the accident, he got abrasions and lacerated injuries as could be seen from Exhibit A4wound certificate. There was no fracture. However, he was an inpatient, treated in the hospital for a long time. The Tribunal awarded a total compensation of Rs.40,500/-. There was no evidence to show that he lost his employment or his earnings. Considering all these facts, we are of the opinion that award of Rs.40,500/- with interest is just and reasonable and in any event it cannot be questioned at the instance of the appellant/ claimant. The appeal is dismissed.

(J.B.Koshy, Judge)

31st May, 2007

(K.P.Balachandran, Judge)

tkv